

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**DAVID DE GROOT,**

**Plaintiff,**

**-vs-**

**SUBURBAN BANK & TRUST CO.  
and SUBURBAN BANK & TRUST  
401(k) PROFIT SHARING PLAN,**

**Defendants.**

**No. 08 C 1167**

**Judge Samuel Der-Yeghiayan  
Magistrate Judge Maria G. Valdez**

**NOTICE OF MOTION**

To: Mark D. DeBofsky  
Daley, DeBofsky & Bryant  
55 West Monroe St., Suite 2440  
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on May 15, 2008 at 9:00 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Samuel Der-Yeghiayan in Courtroom 1903, 219 South Dearborn Street, Chicago, Illinois, and shall then and there present Defendants' 12(b)(6) Motion to Dismiss, a copy of which is attached and served upon you.

Dated: May 8, 2008

Respectfully submitted,

SUBURBAN BANK AND TRUST CO. and  
SUBURBAN BANK AND TRUST 401(k)  
PROFIT SHARING PLAN

By: s/ Michael J. Scotti, III  
One of their attorneys

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